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TZ

SUBJECT: TANZANIA NINTH ANNUAL TRAFFICKING IN

PERSONS (TIP) REPORT

REF: (A) 2008 STATE 132759; (B) STATE 5577

¶1. This cable is in response to guidance in reftels.

Sources of Available Information

¶2. Reliable sources of information for TIP include Government of Tanzania (GOT) Ministry of Home Affairs, which is the lead agency on TIP issues; Ministry of Foreign Affairs, which hosts the Interagency Working Group on TIP; Ministry of Education; Ministry of Community, Gender, and Children; International NGOs and organizations such as IOM and ILO; and local NGOs, including KIWOHEDE, CHODAWU, CHILD in the SUN, and Good Hope Project. While KIWOHEDE is generally a reliable source for trafficking information, its staff sometimes provides information that combines details from old and current cases. There are no GOT plans at this time to undertake further documentation on TIP cases.

TIP SITUATION IN TANZANIA

¶3. The comprehensive Anti-Trafficking in Persons Act of 2008 was passed by the legislature and signed by the president in August. However, the process of translating the law into Swahili and vetting it for official publication was not completed until February 2009. With no explicit anti-trafficking law in force for 2008, there were no specific arrests for trafficking.

¶4. Tanzania is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Most victims were trafficked internally from poor rural areas by family members or friends of the family offering assistance with education and income in urban areas. Sexual exploitation was generally reported after young girls were brought into homes for forced labor. There were no reports of children trafficked specifically with the intent of sexual exploitation; however, it is possible that young women are trafficked directly into prostitution.

¶5. Those most vulnerable to trafficking were young girls, and to a lesser extent boys, from impoverished areas of the country. Trafficking methods varied. Victims were lured by false promises of income, opportunity to attend school, and better living conditions, especially by moving from rural to urban areas. Some trafficking victims left their homes with assistance from their families; some

left on their own to escape life in rural areas; and some were transported by someone who offered to help them find city work, legitimate or otherwise. There were reports that men recruited village girls who had completed primary school but were not entering secondary school. The men offered the girls money and employment and promised the girls a better life if they accompanied them to urban areas; however, many of these girls ended up in forced domestic labor and some may have ended up in prostitution. Another method of trafficking involved low-income parents entrusting children to wealthier relatives or respected members of the community to care for the child as one of their own. Some took advantage of this traditional practice and placed children in abusive or exploitative situations.

¶6. Generally, boys were trafficked within the country for forced farm labor and occasionally mining and in the informal business sectors. Girls were generally trafficked for forced domestic work. There are some anecdotal reports of girls on the islands of Zanzibar trafficked for domestic servitude and commercial sexual exploitation; however, there were no arrests or official reports to support this claim. Living conditions for trafficked victims were usually grim, with very basic amenities, long working hours, little to no pay, and missed educational opportunities.

¶7. Small numbers of persons were reportedly trafficked to South Africa, Saudi Arabia, the United Kingdom, and possibly other European countries for domestic servitude and sexual exploitation. Indian women who entered the country legally to work as entertainers in restaurants and nightclubs were at times reported to be exploited as prostitutes after arrival. It is believed that in tourist areas, such as Zanzibar and Arusha, some hotels hired girls, both locally

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and from places such as India, who were later coerced into prostitution.

¶8. Victims of trafficking were usually moved by bus or train. There was no information to suggest the involvement of crime rings, illegal employment groups, travel and tourism agencies or marriage brokers.

SETTING THE SCENE FOR THE GOVERNMENT'S ANTI- TIP EFFORTS

¶9. The government was slow to acknowledge trafficking as a problem. The primary hurdle was the lack of any organized structure associated with trafficking in Tanzania. However, an intensive education campaign launched by IOM about the full scope of trafficking had the effect of getting the Government to realize the problem. IOM launched a national campaign, Use Sauti Yao (Be Their Voice) to train law enforcement officials, NGOs and community leaders on all aspects of child trafficking. Be Their Voice supported traveling troupes of actors and singers and produced ads carried on radio, television and in newspapers. There were also comic books to draw the attention of youth. This national process was also aided by the U.S. Department of Justice, which sent trainers to various regions of the country to train police officers, immigration officials and prosecutors on anti-trafficking measures. The Ministry of Labor encouraged law enforcement officials and local communities to increase assistance to the Ministry by identifying children at risk and preventing their entry into some of the worst forms of child labor.

¶10. According to the ILO, the key problem with the persistence of trafficking and child labor in agriculture, mining and fishing lies with small-scale, often family, enterprises. According to the Director of the Good Hope Project, which rescues children from the Tanzanite mines, large mining companies support Good Hope's work and refer children to it. Good Hope sees the biggest challenge as parents and youths who prefer to seek immediate riches over the long term benefit of education. Another NGO, Kiwohede, was instrumental in developing a special office within the Dar es Salaam Police Department to assist with identifying and placing children involved in the worst forms of child labor into Kiwohede's care for education and healthcare assistance.

¶11. Few resources were directed specifically to anti-trafficking. Enforcement efforts in Tanzania were hindered by the lack of institutional capacity, poor pay for civil servants, and not enough officers to help assess at-risk situations and identify possible victims. The victims who were identified during the year were turned over to the NGO community for care, but not systematically tracked by any government agency. In favorable news, although the Anti-Trafficking in Persons Unit under the Ministry of Home Affairs did not have a specific budget, it expanded from a one-person office to a staff of five. The Unit had plans to expand by opening regional offices throughout the country. Staffing shortages in the educational sector, HIV/AIDS, and the high level of poverty continued to make Tanzanian children vulnerable to exploitation. However, the level of awareness about child labor and trafficking was high at year's end, stemming from the efforts of the GOT and partner NGOs working in the most vulnerable regions across the country. Tanzania made significant strides, but still had much to do. During President Bush's 2008 visit to Tanzania, President Jakaya Kikwete noted strengthening the educational system as one of his most pressing issues. Opportunities for secondary education improved with the mass building of new schools; however, finding well trained teachers and paying them a competitive salary remained a major challenge.

Investigation and Prosecution of Trafficking

¶12. Tanzania's Anti-Trafficking in Persons Act came into effect February 2009. The GOT investigated and prosecuted cases that may have had trafficking components; however, because the anti-trafficking law was not in effect in 2008, there were no specific trafficking prosecutions or GOT-held case files reported at reporting time.

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¶13. The GOT Director of Public Prosecution (DPP) requested U.S. assistance to train state attorneys on effective use of the new anti-trafficking legislation. By February, a DOJ prosecutor had trained more than 50 prosecutors, including 3 student-trainers who will continue the program in the future. Training included lectures, moot court exercises, open discussions, and power-point presentations. The DOJ prosecutor worked cooperatively with the DPP leadership to ensure that prosecutors were given adequate time away from their regular duties to attend training. DPP permitted student-trainers adequate time to travel and assist with the training.

An overview of the New Anti-Trafficking in Persons Act, 2008

¶14. The law is divided into eight parts, with sections covering issues such as Prohibition of Trafficking in Persons; Investigations and Judicial Proceedings; Rescue, Rehabilitation, Protection and Assistance to Victims; the establishment of an Anti-Trafficking Fund; and the establishment of an Anti-Trafficking in Persons Committee. Prevention, detection, detention, prosecution and the full scope of providing shelter and protection activities currently carried out by the NGO community is mandated to the GOT either solely or in collaboration with NGOs.

¶15. As examples, the law delineates the following penalties:

--The person committing a severe trafficking in persons offence, such as involvement in child prostitution or child pornography, upon conviction shall be liable to a fine of not less than five million shillings (approximately USD 3,800) but not more than hundred and fifty million shillings (USD 115,000) or to imprisonment for a term of not less than ten years but not more than twenty years or both.

--A person acting as an intermediary for the purposes of trafficking in persons upon conviction shall be liable to a fine of not less than four million shillings (USD 3,000) but not more than one hundred and fifty million shillings (USD 115,000) or to imprisonment for a term of not less than seven years but not more than fifteen years or both.

--A person who buys or engages the services of trafficked person for prostitution commits an offence and shall on conviction be liable to a fine of not less than one million shillings (USD 800) but not more than thirty million shillings (USD 23,000) or to imprisonment for a term of not less than twelve months but not more than seven years or both.

--Other penalties, which vary depending on the circumstances, include payment of compensation to the victims and confiscation and forfeiture of the property and instruments derived from trafficking in persons.

¶16. The complete law can be viewed from the GOT website as a pdf file at the following link:
<http://www.parliament.go.tz/Polis/PAMS/Docs/6 -2008.pdf>

Protection and Assistance to Victims

¶17. The government relies on the NGO community to provide both long- and short-term shelter and care for victims of trafficking. Most facilities are geared toward children and typically provide free education and medical, psychological care, and legal services. Most also have a technical training component to give victims a skill as a preventative measure against repeated exploitation, and provide follow-up visits in the home once a child is reunited with the family. The government often allows free use of buildings, will provide teachers, doctors, social workers, and occasionally provides food and medical supplies. Foreign trafficking victims have access to NGO facilities, but are usually treated by the government as illegal immigrants and housed in prisons until arrangements can be made for their deportation. It is difficult to place a monetary value on the GOT's contribution, because help from the government was sporadic, government service providers do not charge for their services, free-use facilities given to NGOs ranged from standard to buildings with no electricity or plumbing, and there is no national

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tracking mechanism for trafficked victims.. The new anti-TIP law calls for the GOT to assist trans-border trafficked victims with care and repatriation, but GOT officials freely admit that there are no funds available for such assistance at present.

¶18. The primary groups working with victims of trafficking are IOM; ILO; KIWOHEDE, a girls shelter with facilities throughout the country; Child in the Sun, a boys shelter primarily in Dar es Salaam; Winrock, which works in farming communities throughout the country; and Good Hope Project, a program focused in the tanzanite mining areas.

¶19. KIWOHEDE and Child in the Sun reported giving assistance to approximately 80 victims they identified as trafficked, and medically screened 50 victims who were later reunited with their families. Some rescued victims were provided with grants for school or micro income generating projects before being returned home. An NGO in the Kilimanjaro region that specializes in rescuing children from the mining industry, Mererani Good Hope Program, withdrew an estimated 750 from child labor and prevented an estimated 1300 from being lured into the worst forms of child labor; all were assisted with school placements and some also received vocational training.

Child Soldiers and TIP Education for the Military

¶20. The laws of Tanzania state that no child under 18 may crew on a ship or be employed in a mine, factory, or any other worksite where working conditions may be hazardous, to include military service. All soldiers are required to complete a module on the respect of human rights and anti-trafficking activities as a part of their basic curriculum.

Prevention

¶21. In 2008, DOJ and IOM experts provided courses to police and

immigration officers on identifying and arresting suspected traffickers and providing care for victims. DOJ and IOM conducted programs in seven different training venues, such as academies, local precincts and off-site locations, in six regions: Zanzibar, Mwanza, Moshi, Dar es Salaam, Iringa, and Mbeya. The fourteen training sessions consisted of three separate training curriculums. These included a one week Instructor Development course, three to five day courses on Criminal Investigation on Human Trafficking, and one day courses on the duties of the first responder to a human trafficking offense. About 400 police and immigration officers and 30 prosecutors attended training. An additional 12 police and immigration officials were trained in legal procedures relating to TIP. The program included training for GOT trainers as well.

¶22. In Dar es Salaam, a female police officer was given permission to wear civilian clothes to appear less threatening to young girls and to work in partnership with KIWOHEDE, the largest rescue program for girls in the country. Tanzania hosted the Eastern and Central African Anti-Trafficking Conference, which involved nine countries. Conference discussions centered on a collective strategy for preventing trafficking. Although internet access is still very low in Tanzania, the recently established cyber-crimes unit includes a person responsible for TIP investigations. A national team composed of police and prosecutors attended a regional conference in Nairobi, Kenya, to strategize on laws covering cyber-crime, include trafficking. In December 2008, Tanzania opened the East African Regional Training Academy for immigration officials. The academy's curriculum included a complete module devoted to anti-trafficking education, designed and taught by IOM. Immigration academy officials were in talks with police commanders about incorporating the nearby police academy into future training sessions. Tanzania encouraged other countries in the region to ratify TIP conventions and enact laws so that there could be a joint effort in fighting TIP.

Heroes

¶23. Mr. Joseph Konyo, the Trafficking in Persons Coordinator and Police Commander in Charge of Trans-National Human Related Offenses in the Ministry of Home Affairs, was the force behind the GOT

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anti-trafficking legislative effort. When he was appointed anti-TIP coordinator in 2006, he did not initially appreciate the full scope of the problem in Tanzania.. After returning from a DOJ-sponsored International Visitors program in the U.S. in 2007, Konyo championed the cause of establishing an anti-TIP law in Tanzania, expanded his section to include five officers, established a close working relationship with the NGO community, and was the first to complete the DOJ-sponsored Anti-TIP Teacher Trainer Course. The establishment of Tanzania's Anti-TIP law in 2009 is due in large part to the efforts of Mr. Konyo.

ANDRE